

# HELM

**FINANCIAL CORPORATION**

One Embarcadero Center • San Francisco, CA 94111

415/398-4510

FAX 415/398-4816

www.hlmx.com

RECORDATION NO.

22903-A FILED

SEP 10 '04

3-47 PM

SURFACE TRANSPORTATION BOARD

Via Overnight Air Courier

September 9, 2004

Mr. Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

**RE: Termination of Net Lease Agreement dated as of February 1, 2004 by Helm Financial Corporation, a California corporation ("Termination of Lease").**

Dear Mr. Williams:

On behalf of **Helm Financial Corporation**, I submit for filing and recording, under 49 U.S.C. Section 11303(a) and the regulations promulgated thereby the following document:

Three (3) fully-executed original copies of the above-referenced Termination of Lease.

In connection with the recording of the Termination of Lease, please note the following information:

**Name & Address of Lessor:** **Helm Financial Corporation**  
**One Embarcadero Center, Suite 3700**  
**San Francisco, CA 94111**

**Name & Address of Lessee:** **Martin Marietta Materials, Inc.**  
**2277 Masch Branch Road**  
**Denton, TX 76207**

**Equipment:** Sixty-five (65) open top hopper railcars bearing reporting marks within the series HLMX 21000-21064.

**Previous STB Filing:** Memorandum of Net Lease Agreement dated January 5, 2000 between **Helm Financial Corporation**, as Lessor, and **Martin Marietta Materials, Inc.** (as successor in interest to Meridian Aggregates Company), as Lessee. STB Recordation No. 22903 filed on April 25, 2000 at 2:26 p.m.

Please file this Termination of Lease as a supplementary document and return two (2) endorsed originals to my attention. A check covering the filing fee of thirty dollars (\$30.00) is enclosed.

Yours truly,



Cecilia Mostaghim  
Contract Administrator

Enclosures (3)



## TERMINATION OF NET LEASE AGREEMENT

THIS TERMINATION OF NET LEASE AGREEMENT ("**Termination**") is dated as of February 1, 2004 by **HELM FINANCIAL CORPORATION**, a California corporation ("**Lessor**").

1. **Recitals.** Lessor entered into the Net Lease Agreement dated as of January 5, 2000 ("**Lease**") with **Meridian Aggregates Company, A Limited Partnership**, organized under the laws of the State of Delaware, with respect to the sixty-five (65) railcars more fully described in Schedule A attached hereto. The Memorandum of Net Lease Agreement is on file at the Surface Transportation Board ("**STB**") of the Department of Transportation, under STB Recordation No. 22903 filed on April 25, 2000 at 2:26 PM.

The Lease was terminated as of February 1, 2004. The purpose of this Termination of Lease is to provide a formal termination document for filing with the STB.

2. **Termination.** The Lease is hereby formally terminated.

IN WITNESS WHEREOF, Lessor, pursuant to due corporate authority, has caused this Termination of Lease to be signed in its corporate name as of the date first above written.

LESSOR

HELM FINANCIAL CORPORATION

CM By: *John F. Dains*  
Name: John F. Dains  
Title: President

RECORDATION NO. 22903-A FILED  
SEP 10 '04 3-47 PM  
SURFACE TRANSPORTATION BOARD



CM

STATE OF CALIFORNIA           )  
  ) S.S.  
COUNTY OF SAN FRANCISCO )

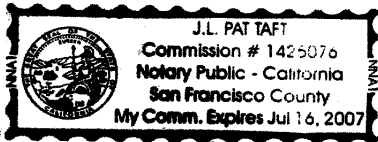
On September 8<sup>th</sup>, 2004, before me, J. L. Pat Taft, personally appeared John F. Dains, President of  
**HELM FINANCIAL CORPORATION,**


X personally known to me -OR-

\_\_\_ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



  
SIGNATURE OF THE NOTARY

[Notarial Seal]



**SCHEDULE A**

**To the Termination of Net Lease Agreement dated as of February 1, 2004**

**Description of Units.** Sixty-five (65), 286K, 2,215 cubic foot capacity, 3-compartment rapid discharge open top  
hoppers equipped with 55-degree interior slope sheets and pneumatic gates. Built by Ortner Freight Car Company  
in 1975, 1978, 1980 or 1981 and refurbished in 1999-2000.

**Unit Numbers:** HLMX 21000-21064

CM